

DAVENPORT DEFENDS POSITION

County Judge's Statement Explains Why
No Warrants for Conspiracy in
Fight Affair Was Issued

STATUTE APPLYING TO CASE IS QUOTED

Declares Bout Advertised as Boxing Con-
test, Leaving No Ground for Legal
Action Required by Venable

(By R. E. Davenport.)
In the Daily Express of date July 26th, there appears a long article by Mr. Venable, at least the whole article is in quotation and from its appearance is quoted verbatim and appears to have been prepared by Mr. Venable. It has been my practice to try law-suits in the court house and not in the daily papers. I have never desired to rush into print, but after reading Mr. Venable's statement, I feel that it is due the county judge's office to make a statement about the matter. When the prize fights or boxing matches were first started in Chickasha, and after one of these bouts had been pulled off, I went to the sheriff and told him from what I had heard that they had violated the law and suggested the next time they had one that it would be a good idea to be present and if they violated the law to arrest them. I am informed by the sheriff that he went to the county attorney in the matter and did not get very much satisfaction. That he went back to him the second time and was not given orders to act. One day last week Mr. Venable applied to the district court for an injunction, which was refused. The paper states he applied to the governor to stop the fight, and he declined. On Monday morning he asked me if I would be at home Tuesday night and said he wanted warrants for the prize-fighters. I was needed in other parts of the county about my campaign, but I came back to be here to issue the warrants. When I got in Tuesday evening, that was the first time he said anything to me about issuing warrants for a conspiracy.

Article 5029 of Revised Statutes of 1910, being the Statutes now used, provides "When a complaint verified by oath or information is laid before a magistrate for the commission of a public offense HE MUST IF SATISFIED THEREFROM THAT THE OFFENSE COMPLAINED OF HAS BEEN COMMITTED AND THAT THERE IS REASONABLE GROUNDS TO BELIEVE THAT THE DEFENDANT HAS COMMITTED IT to issue a warrant of arrest."

The information stated among other things that the parties against whom the warrants were asked "Have advertised the prize fight and sold tickets for admission." At the time Mr. Venable presented this information to me which he had prepared, I told him that I had understood he wanted a warrant against the parties engaged in the prize fight, and that I had come back to be ready to issue the warrants and would issue them after they had started to fight. Mr. Venable as I understand, agreed with me that a warrant could not be issued, charging them with engaging in a prize fight on the ground that they were going to fight. When I read the information I had seen some of the advertising, and the advertisement I had seen, advertised a boxing contest, so I went to the Owl drug store where the tickets were on sale, on the front window I found a large placard which read, "JIM FLYNN, TEXAS TATE, BOXING EXHIBITION, TICKETS FOR SALE HERE." After examining this card and reading such other advertisements of it as I could find, I hurriedly looked up the law and came to the conclusion that I had no right to issue a warrant where I was put on notice that the facts stated in the information were not correct, and I came to the conclusion that they had advertised a boxing contest and not a prize fight. It was not a matter with me of what they were going to do but a matter of what they had advertised. I thought that they had advertised a boxing contest and wanted to pull off a prize fight.

(Continued on Page Three.)

THOUSAND TROOPS IN QUARANTINE

"Walking Measles" in Oklahoma Ranks
Proves Uncomfortable for First
Oklahoma Infantry

COSTS \$10,000,000 A MONTH FOR GUARD

Mexican Foreign Office Minimizes Im-
portance of Exchange of Shots and Awaits
Creation of Commission

(By William G. Shepherd,
United Press Staff Correspondent.)
San Benito, July 27.—Colonel R. L. Bullard of the Twenty-sixth United States Infantry, has imprisoned 1,000 Oklahomans in their pasture camp and has moved his own tent directly across the road from them to see that they stay imprisoned. Colonel Bullard's trouble began brewing when Lawrence Aitken, a street car conductor of Oklahoma City, came to Texas with the First Oklahoma Infantry. He had a little fever then. When he took the typhoid serum he got some more but did not complain. In fact, the whole trouble lies in the fact that he did not complain. There are various kinds of walking diseases, notably "walking typhoid." It developed that Private Aitken is suffering from "walking measles" and now the general fear is that the measles are on the guns, tents, the ground and even the flag.

The whole regiment is quarantined. Cost of Border Guard.
By United Press.
Washington, July 27.—Reversing yesterday's action, the senate today struck out the provision in the new army bill which permitted militiamen on the border to vote for president, vice president, senators and congressmen. The senate's action providing foreign service pay to regulars and militiamen will add \$483,644 to the monthly cost of keeping the troops on the border if the house accepts the bill. The total monthly cost of maintaining the border army has been \$10,000,000.

Mexico's Attitude.
By United Press.
Mexico City, July 27.—The foreign office says the recent exchange of shots between the Massachusetts militia and Mexicans across the border is of no importance, principally because no casualties resulted. The American answer to Carranza's proposition for the appointment of conference commissioners, is awaited.

Scout Goes to Santa Fe.
By United Press.
Columbus, N. M., July 27.—Guy Hartman, a scout in the punitive expedition, who is under the charge of revenue frauds said to have been committed at Fort Smith, Ark., has been taken to Santa Fe to await extradition. Because of the illness of Federal Judge Pope the proceedings were transferred to the Denver district.

SPANNELL BOUND OVER WITHOUT BOND

By United Press.
Alpine, Texas, July 27.—Harry J. Spannall was remanded to the custody of the sheriff without bond on the charge of killing his wife and Colonel Butler and was returned to the county jail at El Paso to await the action of the grand jury the first week of September. Spannall refused to make a statement and appeared pale and worn. He was brought here secretly from El Paso at midnight by armed deputies.

WEATHER FORECAST.
For Oklahoma.
Tonight and Friday, generally fair.
Local Temperature.
During 24 hours ending 8 a. m. today:
Maximum, 91; minimum, 70.

PERSHING'S MEN GET MAIL FROM HOME



Some of the troops of General Pershing's expedition in Mexico receiving a quantity of mail from home.

JAILED ON CHARGE OF FORGERY

Halker Williams, the negro who is charged with uttering a forged instrument as the result of collecting a Rock Island pay check in the sum of \$17.10, was bound over in the sum of \$1,000 in Justice Moore's court this morning and in default of the required bail was sent to jail. Williams is but twenty years old. The evidence showed that he called for the paycheck of Alfred Smith, another negro, who is employed by the Rock Island, and cashed this check at the bank after forging an endorsement. He was bound over to the district court.

TEACHERS REPORT FOR "EXAMS."

The district court presented an animated appearance this morning when a portion of the Grady county school teachers presented themselves for the examinations which are being held Thursday, Friday and Saturday. Many others are expected during the day and tomorrow, the presence of some not being required on the first day. Those who are seeking grade certificates will conclude their labors tomorrow afternoon and will leave for their homes.

The examining committee consists of County Superintendent Shepard, J. W. Morgan of Minco, E. H. Black of Chickasha and W. J. McGrannahan of Bradley.

At nine o'clock this morning the following applicants for certificates had registered and were at work:

Preliminary examination, D. E. Killian, Chickasha; Miss Mary Goolsley, Chickasha; Miss Nancy Hunnicutt, Ninnekah; E. H. Russell, Ninnekah; Mrs. E. H. Russell, Ninnekah; Miss Anna May Dempsey, Chickasha; Albert Robinson, Cement; Miss Mary Ellen Whaley, Verden; Miss Rena Mason, Bailey; Mrs. M. D. Fuller, Amber; Miss Esther Engler, Chickasha; Miss Irene Wynn, Rush Springs; Miss Sylvia Lawrence, Chickasha; Miss Sallie Hambright, Bradley; Mrs. D. E. Killian, Chickasha; N. G. Carson, Edmond; Miss Eula Thompson, Chickasha; Miss Mary Smith, Rush Springs; Miss Lillian Marshall, Ninnekah; Miss Frankie English, Bradley; Miss Earnie English, Bradley; Miss Juanita Rose, Chickasha; Miss Ollie Bradley, Bradley; F. H. French, Bradley; Miss Vera Iard, Chickasha; Miss Vivian Noyes, Collinsville; Miss Mary E. Simons, Rush Springs; Miss Dora Houseman, Chickasha; Miss Mary Bernard, Rush Springs; Ralph L. Lea, Ninnekah; Miss Elizabeth Allen Verden; Miss Sadye Knebel, Cement; Ulrich R. Beeson, Rush Springs; Miss Idalee Worsham, Rush Springs; Miss Willie Hall Minco; Rita Penn, Rush Springs; Miss Viola Wall, Minco; Miss Zora Pritchett, Miss Grace Hartsell, Chickasha; Miss Mahlie Coyle, Rush Springs; Miss Mamie Lester, Rush Springs; Miss Maude Anderson, Ninnekah; Miss M. Maude Adams, Cement; Miss Annie Lee Adams, Cement; Alex Southward, Addington; Miss Ruby Bower, Amber;

BOY HAS NARROW ESCAPE

Painfully Injured by Being Struck by
Auto While Alighting From Wrong
Side of Street Car Today

The dangerous practice of swinging off a car while it is in motion very nearly proved fatal to Ben Knowles, a machinist at Boone & Rickert's garage, when he dropped from the 7:45 street car between Fourth and Fifth streets this morning and was run over by a passing automobile.

According to onlookers, Knowles swung from the car as it was going east at a fair speed, and was on the wrong side of the car from which the passengers usually alight. He did not notice the oncoming automobile heading west, and the general opinion of the witnesses is that the accident was unavoidable. Knowles was knocked down and the car passed entirely over him. Both bones in his right arm above the wrist were broken, his back and right leg were bruised, and he received minor scratches and cuts on his head. He was taken immediately to the Chickasha hospital where he is reported to be resting easily this afternoon.

Officers Wyatt and Looney, who are in charge of the county road gang, were in the car with several prisoners whom they were taking to the country. Although there is some difference of opinion as to how fast the auto was going one party present says the fact that the car stopped in a few feet after running over the boy was proof that it was not speeding.

RAILROAD CONTRACT AID TO CITY

In the event of the city of Chickasha closing a contract with the Rock Island road to supply the railroad all of the water used at this point and doing away with the Rock Island plant, it will put the water works system in a good financial condition. The contract, it is estimated, will furnish additional revenue of about \$5,000 per year exclusive of the sums now being paid. This will reduce the expense to the city of maintaining the water works system almost one-half.

After the interest and sinking fund demands on the water works bonds were satisfied last year there remained a balance of \$236 to be applied on operating expenses, which totalled \$12,850. Employing the same basis for this year's operating expenses the net revenue from the railroad exclusive of the added expense of a second engineer, added to the additional revenue derived during the summer months from watering the lawns of the city would make a great difference in the amount to be made up out of the city fund for the maintenance of the system.

S. E. Brightwell, Rush Springs; Miss Isabella H. Skoen, Piedmont; Miss Clara Woodson, Chickasha; Miss Fannie Coleman, Cement; Miss Bertha Finch, Minco.

TATE GOES TO ARDMORE FOR MATCH

Looking none the worse from his encounter with Jim Flynn, Texas Tate is leaving this afternoon for Ardmore where he will go into training for a bout on August 4 with Jack Hemphill, of Philadelphia.

Mr. Tate announced that Wirt, Oklahoma, had offered him and Flynn for a boxing contest there in September. "If Flynn is willing to fight, I will meet him any way he wants to," said the Chickasha boxer. "And I know I can clean him, too. I know his tactics now and shall be prepared to deal with him next time. It was the foul blow that he gave me in the first round here, that put me in bad shape. He constantly butted me, too, and I complained to the referee but it did no good. I shall be in good shape for my battle at Ardmore."

BIG DINNER IS ASSURED

The "fight" was a fluke—so they say—but the Men's Dinner club doin' this evening at the college dormitory will be a success unless all signs fail. The Presbyterian ladies, who are experts in the culinary line and have had plenty of experience in serving banquets, have prepared a menu that will please the most exacting appetites and plates will be ready for the hungry horde at 7:30 o'clock.

Speaking of speeches, the toastmaster has secured some rare specimens in the line of orators and he promises that they will cut 'em short, keeping the proceedings moving at a lively pace till the program is concluded. President Roche is eager to see a full attendance. Whether you have bought a ticket or not, a place will be found for you.

The menu for the dinner follows:
Fruit Cocktail
Chilled Consomme
Radishes
Fried Spring Chicken
Baked Ham
Potatoes Half-shell
New Corn Escalloped
Light Rolls
Perfection Salad in Cantaloupe
Frigid Pudding
Whipped Cream
Cake
Light and Dark
Ice Tea

VOTING PLACES CHANGED.

Judge Durbin today announced that county election board, was today engaged in preparing the ballot boxes to be sent out to the various county precincts for the primaries on August 1. These boxes are stored at the city hall for convenience.

Judge S. C. Durbin, secretary of the two of the voting places had been changed. Ballots for the Chickasha township will be cast at Shannon Springs instead of at the baseball park, and the voting place in Ward 1, Precinct 2, will be in the basement of the Congregational church instead of at the fire station.

MONSTER ASSAULT ON BRITISH

Haig's Advanced Lines Must Withstand
Most Furious Counter Assaults
Since Present Offensive

HEAVY RAINS ARE IMPEDING RUSSIANS

General Kuropatkin's Armies, However,
are Repulsing Terrific Attacks by
Von Hindenburg

By United Press.
London, July 27.—The British advanced lines must withstand Germany's most powerful counter attack since the start of the allied offensive, within a few days. The point of attack will be the newly won position around Pozieres.

The Germans have admittedly transferred their large reserve forces from Verdun to this salient. They feel the menace of the British encircling movement at Pozieres and westward and eastward from Hill 141 and south of Thiepval. If the British can advance the remaining six miles to Bapaume, German defeat there is inevitable.

German Report.

By United Press.
Berlin, July 27.—A repulsed British reemancipating attack southwest of Warrenton and the failure of French assaults around Barleu and Fleury are reported officially.

Kuropatkin Victorious.

By United Press.
Petrograd, July 27.—Heavy rains are impeding the progress of the Russian drive into northern Galicia. The Stry, Stochel and Lipa rivers are over their banks. On the extreme north General Kuropatkin's armies are repulsing furious attacks by General von Hindenburg.

Spy on Deutschland.

By United Press.
Baltimore, Md., July 27.—When the Deutschland leaves her harbor the big British tramp steamer Ardgriffe will follow her as a spy ship, one of her officers admitted today to the United Press. She expects to signal the allied patrol with wireless. The Ardgriffe has a Japanese crew.

Note on Blacklist.

By United Press.
Washington, July 27.—Acting Secretary of State Polk today announced that the American note on the British blacklist was forwarded to London last night and will be given out for publication Monday morning.

WOMEN DRUNKARDS IN COLORADO MORE PERSISTENT THAN MEN

By United Press.
Denver, Colo., July 27.—Drunkennes among women has been slower to decrease under the state prohibition law than among men, juvenile court authorities said here today.

Prohibition has cut down the number of cases before the various city courts, 75 per cent. Habitual men drunkards have almost disappeared. While drinking by women shows a marked decrease the percentage of habitual "woman drunkards" who have reformed falls much below that of the men.

Juvenile court officer John Phillips, who meets these cases because children generally suffer when their parents get drunk, said women become liquor victims through environment, despondency and out of revenge.

"Once a woman is cursed with this habit," said Phillips, "her downfall is much faster than a man's because of her frail makeup. Women edicted to both the liquor and tobacco habits, it is almost impossible to cure."

Boats for Drills.

By United Press.
Galveston, Tex., July 27.—The navy department today ordered two 35-foot steamers and one thirty foot cutter here for today's naval militia boat drills and landing instructions.

KNIFE IS PLUNGED TO HEART

Mexican Frank Jailed Succeeding Killing
of Blas Lopez at Two Street
Cider Joint

PENETRATES ARM REACHES HEART

Men Were Partners and Difficultly Arose
Over Sale of Cider Without Ac-
counting for Cash

Ignorant of the fact that he had killed a man, Mexican Frank, a well known character about town, arose in his prison cell this morning singing and praying to his Lord whom he declared to be within the confines of the iron cell and under the impression that he had been arrested as an ordinary drunk. His state of intoxication at the time of his arrest was such that nothing intelligible could be obtained from him in the way of details by city officers by whom he was arrested, and later, after the death of his victim, Blas Lopez, his partner in a chile and cider stand on Two street, he was immediately taken to the county jail by Undersheriff Rucker. On his way he was obliged to stop several times to rest, partly due to his intoxicated condition and largely due to the pain which he was suffering from three fingers of his left hand which were almost severed from that member and which gave him great pain.

Lopez, the victim of the assault, was a peaceable Mexican of about thirty three years, who had resided in Chickasha for a number of years and was not known to have been in trouble before. His assailant, Mexican Frank, was brought to the police station ten months ago suffering from a severe knife wound in his ribs and minor cuts, the principal wound being sewn up at the time by the city physician. He was a dishwasher but had lately been employed on the Santa Fe section until two weeks ago.

It is said that "Mexican Pete," or Casimiro, an aged vendor of tamales, was the only eye witness. His testimony was not available this morning but from people in the immediate vicinity of the cider stand, 416 South Two street, the following details were gathered, although not given out by eye witnesses.

Were Partners.

It appears that Mexican Frank, who is about 24 years old, and Blas Lopez had recently been partners in the cider stand where the killing took place. Between five and six o'clock yesterday afternoon Lopez entered the place and a swift examination revealed the fact that there was no cider in the barrel which had been well filled when he left, no money in the till and that his partner was drunk.

Plunged Knife in Heart.

Lopez demanded that Frank account for either the cider or the money, whereupon Frank replied that Lopez could have his cider "here" indicating a spot under Frank's left arm where hung a large and dangerous looking butcher knife. Lopez said he did not want that kind of cider but asked him for some money if only a few cents, to which Frank is said to have replied by plunging the weapon into the left arm of his partner with such force that it passed completely through that member and penetrated the heart. Lopez, who was a man of good build and vitality, stepped behind the counter and obtained his pistol, and followed his alleged assailant about twelve feet beyond the door with the intention of shooting him but the other, though under the influence of cider, had escaped in a manner that did not make him a good target. Then Lopez fell.

Passed Knife On.

Passing out of the cider stand Mexican Frank passed the knife to a Mexican bystander. At this moment Jose A. R. Negrete, who owns a grocery store a few doors away, on seeing Lopez fall and Frank attempting to make his escape, asked "What have you done?" "I will fix you the same way," returned the fleeing man and turned to take the knife from the bystander. But the latter held fast and Frank drew his hand across the blade with

(Continued on Page Three.)